

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Patent Application No.: 10/763,186

if that subject matter and the claimed invention “were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” The change to 35 U.S.C. §103(c) applies to any patent application filed on or after the date of enactment of November 29, 1999.

The present application was filed on January 26, 2004, which is subsequent to November 29, 1999. Accordingly, Yabe is not prior art since NSK, Ltd. owned both Yabe and the present application at the time the former invention was made.

Accordingly, the Examiner is respectfully requested to remove the 35 U.S.C. §103(a) rejection of record, and indicate that all of the pending claims are allowed in the next Patent Office paper.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Patent Application No.: 10/763,186

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER



Daniel V. Williams
Registration No. 45,221

Date: January 5, 2005